DATE: May 21, 2001 DSL-BQA-01-023

TO: Community Based Residential Facilities CBRF 12
Facilities for the Developmentally Disabled FDD 10
Nursing Homes NH 14
Residential Care Apartment Complexes RCAC 10

FROM: LaVern Woodford, Chief
Resident Care Review Section

Susan Schroeder, Director
Bureau of Quality Assurance

Baseboard Heaters

Baseboard heaters can present a danger to certain residents. Current regulations allow listed and properly installed heaters to be designed in accordance with the state building code. However, the Department's administrative codes state that certain residents, who are not able to ensure their own safety, must be reasonably protected from hazards by the facility. The pertinent regulations are cited below:

- Community Based Residential Facilities (CBRF):
  HFS 83.21 (4) (w) Safe Environment: The CBRF shall safeguard residents who cannot fully guard themselves from an environmental hazard to which it is likely that they will be exposed, and conditions which are hazardous to the resident because of the resident's condition or handicap.

- Residential Care Apartment Complexes (RCAC):
  HFS 89.34 (17) Right of Tenants to a safe environment in which to live.

- Nursing Homes and Facilities for the Developmentally Disabled:
  42 CFR 483.25 (h) (1) Quality of Care: The facility must ensure that the resident environment remains as free of accident hazards as is possible.

The facility must assess each individual resident for their susceptibility to environmental hazards. If a resident is highly susceptible to environmental hazards and a heater is experiencing excessive surface temperatures the facility shall take steps to provide for the safety of the resident.

Facilities are required to properly maintain and monitor the operation of these heaters. Periodic measurements of surface temperatures and removal of malfunctioning equipment is highly recommended. Our Bureau engineers will also pay particular attention to the type of heaters and clearances allowed during plan review or facility inspections.

If you have any questions regarding this information, please contact David R. Soens, P.E., Engineering Consultant, at (608) 261-5993.